

# 2021 MISSOURI ATTORNEY GENERAL'S OPINIONS

## MISSOURI ATTORNEY GENERAL'S OPINIONS

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<b>21-2021</b>	Mar 1		
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<b>23-2021</b>	Mar 1		
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<b>57-2021</b>	May 28		
<b>58-2021</b>	June 2		
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<b>137-2021</b>	Oct 8		
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<b>149-2021</b>	Nov 16		
<b>150-2021</b>	Nov 22		
<b>151-2021</b>	Dec 1		
<b>152-2021</b>	Dec 1		
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<b>181-2021</b>	Jan 13		



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

January 15, 2021

OPINION LETTER NO. 1-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 5, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, of the Missouri Constitution submitted by Winston Apple (2022-007).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in black ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

**ERIC S. SCHMITT**  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 21, 2021

OPINION LETTER NO. 2-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 11, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Matt Vitale (2022-008).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 21, 2021

OPINION LETTER NO. 3-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 12, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Matt Vitale (2022-009).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 4-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of January 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Chris Vas, 22-004. The fiscal note summary that you submitted is as follows:

State and local government entities estimate no costs or savings from this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 5-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of January 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Chris Vas, 22-005. The fiscal note summary that you submitted is as follows:

State and local government entities estimate no costs or savings from this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 6-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of January 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Chris Vas, 22-006. The fiscal note summary that you submitted is as follows:

State and local government entities estimate no costs or savings from this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 7-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 19, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I, Section 29, of the Missouri Constitution submitted by Ryan Meyer (2022-010).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in cursive script, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 8-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 19, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I, Section 36, of the Missouri Constitution submitted by Ryan Meyer (2022-011).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in cursive script that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

January 29, 2021

OPINION LETTER NO. 9-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 19, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XII, of the Missouri Constitution submitted by Ryan Meyer (2022-012).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in cursive script, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 2, 2021

OPINION LETTER NO. 10-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 21, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Matt Vitale (2022-013).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 4, 2021

OPINION LETTER NO. 11-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of January 25, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Winston Apple, 22-007. The fiscal note summary that you submitted is as follows:

The General Assembly is estimated to have approximately \$750,000 in one-time costs and \$8.8 million in annual savings. State and local governments could incur significant election-related costs of \$48,000 to \$38 million in one-time costs, and ongoing costs of at least \$15,000 annually and at least \$21,000 for each general election.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint circular background.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 12-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:


This opinion letter responds to your request dated February 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Chris Vas, Article V, version 2 (2022-006). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to provide that:

- appellate court (supreme court and court of appeals) judges shall be elected in nonpartisan elections;
- the term of an appellate court judge shall be reduced from 12 years to 6 years;
- no appellate court judge can be elected to a particular judicial seat for more than two consecutive terms;
- the governor fills appellate court vacancies without recommendations from the appellate judicial commission; and
- all judicial candidates can receive and make campaign contributions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-016



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 13-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:


This opinion letter responds to your request dated February 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Chris Vas, Article V, version 1 (2022-005). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to provide that:

- appellate court (supreme court and court of appeals) judges shall be appointed by the governor with the advice and consent of the senate;
- the governor shall appoint the chief justice of the supreme court; and
- the governor's appointments to the appellate court are for life?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 14-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101


Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Chris Vas, Article I (2022-004). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to provide that every employee shall have the freedom to work without being forced to join or pay any fees to a union (labor organization) in order to gain or keep a job?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 15-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 4, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Chris Vas, Article V, (2022-014).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 22, 2021

OPINION LETTER NO. 16-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

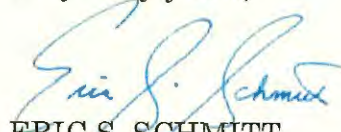
This opinion letter responds to your request dated February 5, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Winston Apple, Article III (2022-007). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution regarding state legislatures as follows:

- reduce the number of representatives from 163 to 80 (10 from each congressional district);
- reduce the number of senators from 34 to 24 (3 from each congressional district);
- reduce the term for senators from 4 to 2 years;
- eliminate the primary election for legislators;
- at the general election, each voter casts up to 10 ranked votes for candidates for the General Assembly;
- the 13 candidates with the highest vote totals per congressional district, the highest 3 are elected as senators; the remaining 10 are elected as representatives?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 17-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of February 8, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ryan Meyer, 22-010. The fiscal note summary that you submitted is as follows:

Local governmental entities estimate no savings and possible costs of an unknown amount totaling at least \$50,000. State governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 18-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of February 8, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ryan Meyer, 22-011. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no savings and possible costs of an unknown amount that could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

February 19, 2021

OPINION LETTER NO. 19-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of February 8, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ryan Meyer, 22-012. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no costs or savings from this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 1, 2021

OPINION LETTER NO. 20-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 19, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Ryan Meyer, 2022-010. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- make the right to collective bargaining absolute;
- prohibit the legislature from passing any act or statute which would affect any collective bargaining agreement, contract or covenant;
- allow the full collection of dues or other means of compensation directly from employers; and
- allow the right to strike, and provide that the legislature may ensure continuity of service for electricity, water and heat?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-024



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 1, 2021

OPINION LETTER NO. 21-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 19, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Ryan Meyer, 2022-011. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to allow judges and juries in a civil action or tort to award any amount (unlimited) they deem fair and just and have no limit to the factors to be considered in calculation of damages?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 1, 2021

OPINION LETTER NO. 22-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 19, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Ryan Meyer, 2022-012. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to require any amendment adopted or section added and adopted to the Constitution by voters of the State of Missouri through a voter petition amendment process to only be amended or repealed in the same manner in which it was originally adopted?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 1, 2021

OPINION LETTER NO. 23-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 19, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 407, Revised Statutes of Missouri, submitted by Matthew Vitale, 2022-015.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

March 12, 2021

OPINION LETTER NO. 24-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 1, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article V of the Missouri Constitution submitted by Chris Vas (2022-016).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in black ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

March 15, 2021

OPINION LETTER NO. 25-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 4, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I of the Missouri Constitution submitted by Winston Apple (2022-017).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in black ink that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 19, 2021

OPINION LETTER NO. 26-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 9, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 1 of the Missouri Constitution submitted by Winston Apple (2022-018).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 19, 2021

OPINION LETTER NO. 27-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 9, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 2 of the Missouri Constitution submitted by Winston Apple (2022-019).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 19, 2021

OPINION LETTER NO. 28-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 11, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Matthew Vitale, 22-015. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings and additional costs of approximately \$200,000 per year. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 29, 2021

OPINION LETTER NO. 29-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 19, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-020.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 29, 2021

OPINION LETTER NO. 30-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 19, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-021.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 29, 2021

OPINION LETTER NO. 31-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 19, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-022.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

March 29, 2021

OPINION LETTER NO. 32-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Chris Vas, 22-016. The fiscal note summary that you submitted is as follows:

State and local government entities estimate no costs or savings from this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 2, 2021

OPINION LETTER NO. 33-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 23, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Mark Pedersen (2022-023).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 2, 2021

OPINION LETTER NO. 34-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 24, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Matt Vitale (2022-015). The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require that manufacturers of digital electronic equipment make available to owners of such equipment, or independent repair providers, documents, parts and tools for any embedded software that does not divulge a trade secret; and
- allow owners and independent repair providers to file a complaint in court against manufacturers who fail to do so; and
- require the Attorney General to enforce these requirements on equipment sold or in use on or after January 1, 2023?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 2, 2021

OPINION LETTER NO. 35-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 24, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Winston Apple, 22-017. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs of an unknown amount, and ongoing costs of an unknown amount totaling at least \$38,000 per year. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 9, 2021

OPINION LETTER NO. 36-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 29, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Winston Apple, 22-018. The fiscal note summary that you submitted is as follows:

State and local governments could incur significant election-related costs of \$18,000 to \$38 million in one-time costs, and ongoing costs of at least \$15,000 annually and at least \$21,000 for each general election.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 9, 2021

OPINION LETTER NO. 37-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 29, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Winston Apple, 22-019. The fiscal note summary that you submitted is as follows:

The General Assembly is estimated to have approximately \$13.2 million in annual savings by 2027. State and local governments could incur significant election-related costs of \$18,000 to \$38 million in one-time costs, and ongoing costs of at least \$15,000 annually and at least \$21,000 for each general election.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 12, 2021

OPINION LETTER NO. 38-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated April 2, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Chris Vas, 2022-016. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to provide that:

- appellate court (supreme court and court of appeals) judges shall be elected in the same manner as the governor;
- the term of an appellate court judge shall be reduced from 12 years to 6 years;
- no appellate court judge can be elected to a particular judicial seat for more than two consecutive terms;
- the governor fills appellate court vacancies without recommendations from the appellate judicial commission and the person appointed shall serve the remainder of the vacating judge's term; and
- all judicial candidates can receive and make campaign contributions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is placed over the typed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 13, 2021

OPINION LETTER NO. 39-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated April 2, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Winston Apple, 2022-017. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to provide that:

- all eligible voters may submit a proxy form to one member of the house of representatives and one senator naming them as their designated representative;
- allow each senator and representative to have weighted votes on all matters that come before the general assembly based on the number of proxies, with the exception to override a governor's veto; and
- voters may submit a new proxy form designating a different representative and/or senator as their representative(s) at any time but no more than once in any calendar year for each office?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 20, 2021

OPINION LETTER NO. 40-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:


This opinion letter responds to your request dated April 9, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Winston Apple, version 1, 2022-018. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution regarding state legislators as follows:

- elect 20 representatives from each congressional district plus 3 at-large;
- elect senators on a statewide basis;
- eliminate the primary election for legislators;
- allow each voter to cast up to 10 ranked votes for General Assembly candidates;
- elect the candidates with the highest votes by ranking;
- allow senators and representatives to cast weighted votes in the General Assembly based on the number of votes they received at the last election; and
- allow representatives to serve to the end of their term even if they move from their district?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 20, 2021

OPINION LETTER NO. 41-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

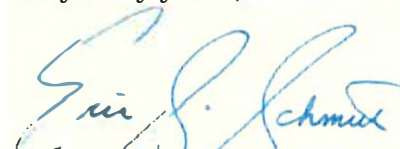
This opinion letter responds to your request dated April 9, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Winston Apple, version 2, 2022-019. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution regarding state legislators as follows:

- elect 20 representatives from each congressional district plus 3 at-large;
- eliminate state senators from General Assembly after 2026;
- eliminate the primary election for legislators;
- allow each voter to cast up to 10 ranked votes for General Assembly candidates;
- elect the candidates with the highest votes by ranking;
- allow representatives to cast weighted votes in the General Assembly based on the number of votes they received at the last election; and
- allow representatives to serve to the end of their term even if they move from their district?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

April 23, 2021

OPINION LETTER NO. 42-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of April 12, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Pedersen, 22-023. The fiscal note summary that you submitted is as follows:

State governmental entities estimate savings of at least \$2 million annually and an annual impact to revenues ranging from a \$12 million decrease to a \$22 million increase by 2028. Local governmental entities are estimated to have revenue increases ranging from \$4 million to \$26 million annually by 2028.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A blue ink signature of Eric S. Schmitt is written over a light blue circular background. The signature is cursive and reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 3, 2021

OPINION LETTER NO. 43-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:


This opinion letter responds to your request dated April 23, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Mark Pedersen, 2022-023. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- repeal all current medical marijuana (cannabis) provisions;
- remove state prohibitions on possession, consumption, cultivation, and sale of marijuana for personal or medical use, regardless of age;
- legally allow driving under the influence of marijuana;
- release all individuals from incarceration, parole and probation from any conviction for a nonviolent marijuana-related crime;
- remove state prohibitions on cultivation, manufacture, distribution, and sale of marijuana;
- destroy all state civil and criminal records of nonviolent marijuana-related crimes;
- prohibit Missouri assisting enforcement of federal marijuana offenses; and
- prohibit the taxation of physician-recommended medical marijuana?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 6, 2021

OPINION LETTER NO. 44-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated April 27, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, Article XXVII, 2022-024.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 6, 2021

OPINION LETTER NO. 45-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated April 27, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, Article XXIX, 2022-025.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 6, 2021

OPINION LETTER NO. 46-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated April 27, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, Article XXX, 2022-026.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 47-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 1, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-027.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 48-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 2, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-028.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 49-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 3, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-029.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 50-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 4, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-030.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 51-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 5, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-031.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 13, 2021

OPINION LETTER NO. 52-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 3, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition to amend Chapter 290, version 6, Revised Statutes of Missouri, submitted by Lisa D'Souza, 2022-032.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 25, 2021

OPINION LETTER NO. 53-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 14, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-033.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reason stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 25, 2021

OPINION LETTER NO. 54-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 14, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-034.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reason stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a circular embossed seal of the Attorney General of Missouri.

ERIC S. S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 25, 2021

OPINION LETTER NO. 55-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 14, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-035.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reason stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

May 27, 2021

OPINION LETTER NO. 56-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 17, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of a referendum petition for Senate Substitute 2 for Senate Committee Substitute for Senate Bill 262 submitted by Jeremy Cady (2022-R001).

We conclude that the petition must be rejected as to form for at least the following reason:

1. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required under § 116.050, RSMo.

Because of our rejection of the form of the petition for the reason stated above, we have not made conclusions as to whether additional deficiencies exist. Pursuant to § 116.332.4, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A handwritten signature in blue ink that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 28, 2021

OPINION LETTER NO. 57-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated May 28, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of a referendum petition for Senate Substitute 2 for Senate Committee Substitute for Senate Bill 262 submitted by Jeremy Cady (2022-R002).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 58-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-027. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 59-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-028. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 60-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-029. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 61-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-030. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 62-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-031. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 2, 2021

OPINION LETTER NO. 63-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of May 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Lisa D'Souza, 22-032. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings, one-time costs ranging from \$0 to at least \$84,000, and ongoing costs ranging from \$0 to \$1.2 million per year by 2024. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

May 18, 2021

OPINION LETTER NO. 64-2021

Mr. Brett Siefert  
Lincoln County Health Department Administrator  
5 Health Department Drive  
Troy, Missouri 63379  
(636) 528-6117

Re: Opinion Request

Dear Mr. Siefert:

You ask whether the Sunshine Law requires the Lincoln County Health Department to disclose, upon request, the names and contact information of persons or entities making a complaint or who were the subject of a complaint alleging a violation of a health department order during the COVID-19 pandemic.

The plain language of the Sunshine Law only allows the closure of these records if they were made through a municipal hotline established for the reporting of abuse and wrongdoing.

**1. Requirements of the Sunshine Law**

Section 610.010(6), RSMo, defines the term "public record" as "any record, whether written or electronically stored, retained by or of any public governmental body[.]" The apparent intent of defining this term as including both written and electronically stored materials is to cover as many types of records as possible. This intent is seen in other provisions of the Sunshine Law, such as § 610.010(5), RSMo, which defines "public meeting" as including not only meetings where members are physically present in the same room, but also meetings conducting through other means such as video chat,



postings on a message board, or conference call. See also § 610.029, RSMo (expressing preference for public records to be stored and made available in an electronic format).

Section 610.011.1, RSMo, provides that the “public policy of this state” is “records ... of public governmental bodies be open to the public unless otherwise provided by law.” Section 610.011.2, RSMo, provides: “Except as otherwise provided by law, ... all public records of public governmental bodies shall be open to the public for inspection and copying as set forth in sections 610.023 to 610.026[.]”

Further, the requirements of “[s]ections 610.010 to 610.200 shall be liberally construed and their exceptions strictly construed to promote this public policy.” § 610.011.1, RSMo. But this requirement of strict construction of exceptions does not require absurd readings that ignore evident statutory intent. Rather, “[l]egislative intent is the pole star of statutory interpretation and construction. Once determined, the result is ordained and a liberal versus strict construction is a secondary, if not irrelevant, consideration.” *State ex rel. KCP & L Greater Missouri Operations Co. v. Cook*, 353 S.W.3d 14, 41 (Mo. App. W.D. 2001). “Strict construction does not require courts to ignore legislative intent, however, and our construction must also embrace common sense and evident statutory purpose.” *State v. Slavens*, 375 S.W.3d 915, 920 (Mo. App. S.D. 2012), quoting *State v. Laplante*, 148 S.W.3d 347, 349 (Mo. App. S.D. 2004); see also *Philyow v. State*, 554 S.W.3d 567, 571, note 2 (Mo. App. E.D. 2018) (rule of lenity, requiring strict construction in criminal statutes, “is invoked ‘only after employing other measures to determine legislative intent, which, of course, is the ultimate objective of statutory interpretation’”), quoting *Turner v. State*, 245 S.W.3d 826, 828 (Mo. banc 2008).

Section 610.021, RSMo, provides that:

Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following: ... (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing[.]

§ 610.021(16), RSMo. Although we have not found any case that references this exception to the disclosure of records, the evident legislative purpose of



this exception appears to be to encourage the reporting of abuse and facilitating the investigation of those reports. For example, employees would be much less likely to report wrongdoing by an employer if they knew that their names and addresses would be given to the employer, exposing them to possible retaliation.

The term “hotline” is not defined in the Sunshine Law. *See* Chapter 610, RSMo. Nor is it defined in any other statute. *See* RSMo. Where the term is used elsewhere in Missouri statutes, it references telephone communications, as distinct from electronic and other forms of communication. *See, e.g.,* § 29.221.1, RSMo (auditor provides means to take reports of improper activities, including “telephone hotline, electronic mail, and internet”); § 167.275.1, RSMo (high-school dropout reports made “either by using the telephone hotline number or on forms developed by the department”). “When a term is not defined by statute, this Court will give the term its plain and ordinary meaning as derived from the dictionary.” *Hegger v. Valley Farm Dairy Company*, 596 S.W.3d 128, 131-32 (Mo. 2020), *quoting* *Mo. Pub. Serv. Comm’n v. Union Elec. Co.*, 552 S.W.3d 532, 541 (Mo. banc 2018), *internal quotation marks omitted*.

The dictionary definition of “hotline” is “a direct telephone line in constant operational readiness so as to facilitate immediate communication;” or “a usually toll-free telephone service available to the public for some specific purpose.” <https://www.merriam-webster.com/dictionary/hotline>, last accessed on April 6, 2021; *see also* <https://dictionary.cambridge.org/us/dictionary/english/hotline>; last accessed on April 6, 2021 (definition of “hotline” is “a special direct phone connection for emergencies” or “a special telephone number for emergencies or for a particular service.”). Thus, the term “hotline” appears to specifically relate to communication by telephone, as opposed to other types of communication.

**2. The plain terms of the Sunshine Law do not protect reports of wrongdoing unless those reports were made through a municipal hotline**

The facts you presented are that the public governmental body, the Lincoln County Health Department, has received complaints from individuals alleging a violation of a health department order during the COVID-19 pandemic. You do not specify whether these complaints were received through a municipal hotline, website, email, or other method. We believe the plain language of the Sunshine Law only allows the closure of



these records if they were made through a municipal hotline established for the reporting of abuse and wrongdoing.

It is clear that if the identical information had been received through a telephone call on a phone number established by a municipality to receive these reports of wrongdoing, then these reports relating to the hotline call could be closed by the public governmental body retaining the records. § 610.021(16), RSMo (public governmental body authorized to close “[r]ecords relating to municipal hotlines established for the reporting of abuse and wrongdoing”). Further, it appears that the legislative intent in enacting the protection of hotline call reports is also applicable to reports received through other means of communication. And, elsewhere in the Sunshine Law, there is a clear intent on the part of the Legislature to include various electronic forms of communication within its scope; see § 610.010(5), RSMo; § 610.010(6); and a clear legislative preference for public governmental bodies to create electronic records. § 610.029, RSMo. These considerations seem to show that the legislature intended to include electronic forms of communication in its protection of those making reports of wrongdoing.

However, where the plain language of a statute is clear, courts are reluctant to expand the language to include similar items not apparently contemplated by the statute, even when including those items seems in harmony with the legislative intent of the statute. For example, in *Li Lin v. Ellis*, 594 S.W.3d 238, 242-43 (Mo. 2020), the Court noted that several federal circuits had found it reasonable to believe that Congress had intended to grant a cause of action for a certain behavior that was not expressly covered by the plain terms of the statute. “Hence, there was no textual basis in section 12203(a) for the cause of action—only the federal circuits’ supposition of Congressional intent.” *Li Lin v. Ellis*, 594 S.W.3d at 244. The Supreme Court of Missouri held: “This Court does not have the authority to read into a statute a legislative intent that is contrary to its plain and ordinary meaning. The legislature may wish to change the statute. But this Court, under the guise of discerning legislative intent, cannot rewrite the statute[.]” *Li Lin v. Ellis*, 594 S.W.3d at 244, *internal quotes and editing marks omitted*.

Here, the plain text of the exception only includes records relating to hotlines established for the reporting of wrongdoing. As set forth above, the dictionary definition of a hotline is specifically a telephone number, and does not include other electronic forms of communication, even a dedicated website link or dedicated email address. It would seem to be consistent with the legislative intent of the Sunshine Law to expand this protection to methods of



reporting other than a municipal hotline. However, exceptions to the Sunshine Law are to be strictly construed, and the plain language does not provide protection for reports made through other methods, so there is no room to re-write § 610.021(16), RSMo, to allow for the protection of the identities of those who report wrongdoing or are the subject of a complaint if those reports are made through a means other than a municipality's hotline. *See Li Lin v. Ellis*, 594 S.W.3d at 244.

**3. Section 610.100.3, RSMo, does not allow the closure of the information**

You suggest that a provision of the Sunshine Law relating to criminal investigations could apply to close the records in question. Specifically, § 610.100.3, RSMo, provides:

Except as provided in subsections 4, 5, 6 and 7 of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

*Emphasis added.* By its plain terms, this exception to disclosure only applies to records retained by a law enforcement officer or a law enforcement agency. A health department is not a law enforcement agency. Therefore, this provision does not apply to records retained by the Lincoln County Health Department, and does not operate to close the records in question.

**4. Conclusion**

In conclusion, we believe that the Lincoln County Health Department only has authority to close records relating to an allegation of a violation of a



health department order during the COVID-19 pandemic if those complaints were made through a municipal hotline. If the complaints were made through other means, the plain language of the Sunshine Law does not allow the public governmental body retaining the records to close them.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Linda Lemke', with a stylized, cursive script.

Linda Lemke  
Assistant Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 14, 2021

OPINION LETTER NO. 65-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 2, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XXVIII of the Missouri Constitution submitted by Austin Shaffer (2022-036).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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OP-2021-069





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 14, 2021

OPINION LETTER NO. 66-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 2, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XXIX of the Missouri Constitution submitted by Austin Shaffer (2022-037).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 14, 2021

OPINION LETTER NO. 67-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 2, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XXX of the Missouri Constitution submitted by Austin Shaffer (2022-038).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-071





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 68-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 1, 2022-027. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than forty hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than twenty-four hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement;
- exempt employers who are governmental entities, political subdivisions, school districts and educational institutions; and
- allow collective bargaining agreements to waive these requirements?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a printed name.

ERIC S. SCHMITT  
Attorney General

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OP-2021-072



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 69-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 2, 2022-028. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than forty hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than twenty-four hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement; and
- exempt employers who are governmental entities, political subdivisions, school districts and educational institutions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

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OP-2021-073





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 70-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 3, 2022-029. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than forty hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than twenty-four hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement; and
- exempt construction industry workers and employers who are governmental entities, political subdivisions, school districts and educational institutions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a light blue circular background.

ERIC S. SCHMITT  
Attorney General

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OP-2021-074



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 71-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 4, 2022-030. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than fifty-six hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than forty hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement;
- exempt employers who are governmental entities, political subdivisions, school districts and educational institutions; and
- allow collective bargaining agreements to waive these requirements?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

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OP-2021-075





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 72-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 5, 2022-031. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than fifty-six hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than forty hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement; and
- exempt employers who are governmental entities, political subdivisions, school districts and educational institutions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General

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OP-2021-076



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 17, 2021

OPINION LETTER NO. 73-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 4, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Lisa D'Souza, version 6, 2022-032. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- require employers with fifteen or more employees provide one hour of paid sick leave for every thirty hours worked but limit using no more than fifty-six hours annually;
- require employers with fewer than fifteen employees provide the same paid sick leave but limit using no more than forty hours annually;
- allow the Department of Labor and Industrial Relations to provide oversight and enforcement; and
- exempt construction industry workers and employers who are governmental entities, political subdivisions, school districts and educational institutions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

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OP-2021-077





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 28, 2021

OPINION LETTER NO. 74-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 14, 2021, for our review under § 116.334, RSMo of a proposed statement prepared for the fair ballot language for House Committee Substitute for House Joint Resolution No. 35. The proposed statement is as follows:

A "yes" vote will amend the Missouri Constitution to grant the General Assembly statutory authority to invest state funds and also expand the state treasurer's investment options. Currently the Constitution grants the General Assembly no statutory investment authority and limits the treasurer's investment options. This amendment will allow the General Assembly by statute to determine investment avenues for the state treasurer to invest state funds, as well as allow the state treasurer to invest in municipal securities.

A "no" vote will not amend the Missouri Constitution and limit the treasurer to investing state funds only in those currently approved by the Constitution.

If passed, this measure will have no impact on taxes.

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General

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OP-2021-078



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

June 28, 2021

OPINION LETTER NO. 75-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 14, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for House Committee Substitute for House Joint Resolution. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow the General Assembly to override the current constitutional restrictions of state investments by the state treasurer; and
- allow state investments in municipal securities possessing one of the top five highest long term ratings or the highest short term rating?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 2, 2021

OPINION LETTER NO. 76-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 17, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Jeremy Cady (2022-R002). The proposed summary statement is as follows:

Do you want to adopt Senate Bill 262 passed by the General Assembly in 2021, which amends Missouri Law to:

- increase motor fuel tax by an additional 2.5 cents per gallon per year for a total increase of 12.5 cents per gallon when fully enacted;
- increase fees for alternative and electric fuel decals by 10 or 20 percent (depending on vehicle weight) per year for five years; and
- allow taxpayers who retain original receipts for paid motor fuel tax to apply for a refund with the Department of Revenue for the additional tax paid on a fiscal year basis?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a circular embossed seal of the Attorney General of Missouri.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 2, 2021

OPINION LETTER NO. 77-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jeremy Cady, 22-R002. The fiscal note summary that you submitted is as follows:

State governmental entities estimate initial costs of at least \$500,000, ongoing costs of at least \$500,000 annually, and increased revenues of \$90 million to \$330 million annually by 2027. Local governments are estimated to have unknown costs and increased revenues of \$30 million to \$120 million annually by 2027.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading 'Eric S. Schmitt', is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 2, 2021

OPINION LETTER NO. 78-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 22, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-036. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no costs or savings, but indicated the proposal could result in unknown impacts. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the typed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 2, 2021

OPINION LETTER NO. 79-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 22, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-037. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 2, 2021

OPINION LETTER NO. 80-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 22, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-038. The fiscal note summary that you submitted is as follows:

State and local governments estimate ongoing election-related costs of at least \$2,000 annually and at least \$16 million per election, but the total cost is unknown. Local governments estimate savings of at least \$180,000 annually and at least \$28,000 for each general election.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 7, 2021

OPINION LETTER NO. 81-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 25, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Mitchell Hubbard, 2022-039.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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OP-2021-085





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 7, 2021

OPINION LETTER NO. 82-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated June 29, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Mitchell Hubbard, 2022-040.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-086



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 9, 2021

OPINION LETTER NO. 83-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 23, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition for House Committee Substitute for House Joint Resolution No. 35. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no costs and increased interest revenue of \$2 million per year. Local governmental entities estimate no costs and increased interest revenue of at least \$34,000 per year.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 16, 2021

OPINION LETTER NO. 84-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 6, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Austin Shaffer, 2022-036. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- include the Federal Bill of Rights as part of the Missouri Constitution and be known as the Missouri Bill of Rights;
- specifically prohibit involuntary servitude; and
- include the complete Federal Constitution without federal court decisions or precedents interpreting the constitution and become effective only if the United States collapses or Missouri lawfully ceases to be a part of the United States of America?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

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OP-2021-088



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 16, 2021

OPINION LETTER NO. 85-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 6, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Austin Shaffer, 2022-038. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- eliminate using machines to count and calculate votes;
- require votes to be counted by hand by the judgement of the human eye;
- require a state-issued ID or driver license to vote;
- permit early voting no more than fourteen days prior to election;
- allow observers inside and outside polling stations to take pictures;
- allow the state General Assembly to adjust or void any vote totals it determines appropriate in presidential elections; and
- create the crime of treason against persons for voter fraud, failure to report results timely and certain poll worker actions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint circular stamp.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 16, 2021

OPINION LETTER NO. 86-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Mitchell Hubbard (2022-041).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

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OP-2021-090



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 87-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 1, 2022-042.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050.2(1), RSMo.
2. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 88-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 2, 2022-043.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050.2(1), RSMo.
2. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over the typed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 89-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 3, 2022-044.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050.2(1), RSMo.
2. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 90-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, 2022-045.

We conclude that the petition must be rejected for at least the following reasons:

1. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 91-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 1, 2022-046.

We conclude that the petition must be rejected for at least the following reasons:

1. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 92-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 13, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 2, 2022-047.

We conclude that the petition must be rejected for at least the following reasons:

1. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains "more than one amended and revised article of the Constitution."

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 23, 2021

OPINION LETTER NO. 93-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 15, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain (2022-048).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-097





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 26, 2021

OPINION LETTER NO. 94-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 16, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by David Roland, version 1 (2022-049).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

July 26, 2021

OPINION LETTER NO. 95-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 16, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by David Roland, version 2 (2022-050).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 3, 2021

Missouri Department of Commerce and Insurance  
Division of Professional Registration  
ATTN: Sarah E. Ledgerwood, Interim Division Director  
3605 Missouri Boulevard  
Jefferson City, MO 65109  
(573) 751-5648

RE: Opinion request

Dear Interim Division Director Ledgerwood:

You ask whether § 324.047.2(13), RSMo, prohibits an individual from practicing, for compensation, as a “registered” practitioner, where the individual’s occupation is not one required to be “registered” with the state and the private organization that issued the credential uses the term “registered” in the title of the credential.

The facts you provided are that most private organizations that confer credentials on individuals use the term “certified” in that credential. However, some private organizations use the term “registered” in the credential they confer. Individuals who have earned credentials from those private organizations are using the word “registered” in their titles as they practice their occupations, for example, “Registered Dietitian” or “Registered Radiologist Assistant.” No Missouri law requires these practitioners to submit notification of their credential to any state agency, so they are not “registered” with the State of Missouri.

We conclude that § 324.047.2(13), RSMo, does not prohibit individuals from using the term “registered” in their titles where the credential has been granted by a nongovernmental entity and the legislature has not enacted any requirement of registration with the state.

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**1. Plain language of the statute governs**

The “primary rule of statutory interpretation is to give effect to legislative intent as reflected in the plain language of the statute at issue.” *Karney v. Department of Labor and Industrial Relations*, 599 S.W.3d 157, 162 (Mo. 2020). A court will resort “to other rules of statutory interpretation only when the plain meaning of the statute is ambiguous or defeats the purpose of the statute.” *Id.*

**2. The plain language of the statute in question does not forbid using the term “registered” where there is no requirement of registration**

The Division of professional registration has responsibilities regarding the issuance and renewal of licenses. § 324.001, RSMo. The legislature has stated a public policy that individuals may engage in a chosen occupation with “the least restrictive type of occupational regulation consistent with [protecting] the public interest.” § 324.047.3, RSMo.

Section 324.047, RSMo, sets out specific requirements for the use of certain words in a practitioner’s title:

(2) “Certification”, a program in which the government grants nontransferable recognition to an individual who meets personal qualifications established by a regulatory entity. Upon approval, the individual may use “*certified*” as a designated title. ...

(13) “Registration”, a requirement established by the general assembly in which an individual:

(a) Submits notification to a state agency; and

(b) May use “registered” as a designated title.

Notification may include the individual’s name and address, the individual’s agent for service of process, the location of the activity to be performed, and a description of the service the individual provides. Registration may include a requirement to post a bond but does not include education or experience requirements. *If the requirement of registration is not met, the individual is prohibited from performing the*



*occupation for compensation or using "registered" as a designated title.*

(14) "Regulatory entity", any board, commission, agency, division, or other *unit or subunit of state government that regulates* one or more professions, occupations, industries, businesses, or other endeavors in this state;

*Emphasis added.* This statute was first passed in 2018, with a later amendment that addressed hair braiding. No cases interpret this statute.

By its plain terms, this statute only forbids using the term "registered" when performing an occupation for compensation or using the term "registered" in an individual's title, if the general assembly's "requirement of registration is not met[.]" Therefore, there could be three situations where this statute has application.

The first situation is where there is a requirement of registration, and that requirement is met. In that situation, an individual may use the term "registered" in performing the occupation for compensation and may use the term in the individual's title.

The second situation is if there is a requirement of registration, and that requirement is not met. In that situation, an individual may not use the term "registered" in performing the occupation for compensation and may not use the term in the individual's title. *See Attorney General Opinion 1954-68* (osteopath who was not licensed as an optometrist could not advertise as a "registered" optometrist). This is true even if the person has received a credential with the term "registered" in it from a private credentialing organization. That is, if a person is required to be registered with the state, the person cannot use the term "registered" in the person's title, even if the person is "registered" by a private organization.

The third situation is where there is no requirement of registration. By its plain terms, this statute does not forbid an individual from using the term "registered" in performing the occupation for compensation, and does not forbid using the term in the individual's title. Nothing in this statute addresses the ability of an individual to practice an occupation or use the term "registered" in the individual's title where the general assembly has not required registration for the occupation. Therefore, if the general assembly has not established a requirement for registration for a certain occupation,



nothing in the plain language of this statute prohibits that individual from practicing that occupation for compensation or using "registered" in the individual's title.

It is consistent with the express legislative intent of § 324.047, RSMo, to read § 324.047.2(13), RSMo, to allow individuals to use the term "registered" in their titles when this credential has been granted by a nongovernmental entity and there is no requirement of registration by the legislature. As stated in § 324.047.3, RSMo:

All individuals may engage in the occupation of their choice, free from unreasonable government regulation. The state shall not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a reasonable interest for the statute to protect the general welfare. If such an interest exists, the regulation adopted by the state shall be the least restrictive type of occupational regulation consistent with the public interest to be protected.

Where the legislature has not required a particular occupation to be registered, and therefore has made no avenue for a person practicing that particular occupation to become registered with the state, it seems unlikely that the legislature intended to restrain a person, when in practice, from using the name of the credential the person has earned from a private organization.

In sum, § 324.047(13)(b), RSMo, does not mandate state registration by all those practicing in any particular area; it only mandates that, *if* the legislature has established a requirement of registration, that registration must be met before the person may use the term "registered" in the person's title. This statute does not contain any explicit prohibition against using the term in a title if a person has not been registered by the state and the state does not have a requirement of (or even a path to) registration by the state.



**3. The statutes reflect a legislative understanding that private organizations issue credentials, and that some of the names of these credentials might overlap with state-issued designations.**

The legislature has recognized that private organizations may issue credentials with terms such as “certified” or “registered.” The legislature has shown itself ready to distinguish between these credentials and those issued by the state when needed.

For example, in the statutes regarding physician assistants, § 334.735.1(2), RSMo, defines “Certifying entity” as “the *nongovernmental* agency or association which *certifies or registers* individuals who have completed academic and training requirements;” *emphasis added*. In this area, the certifying entities are required to register with the department of commerce and insurance. § 334.737, RSMo, § 334.735(5), RSMo. But here the legislature has recognized that legitimate credentials such as certifications and registrations may be granted by nongovernmental entities.

Another example is the legislature’s system of certification. Section 324.047.2(2), RSMo, provides, in pertinent part, that “certification” is: “a program in which *the government* grants nontransferable recognition to an individual who meets personal qualifications established by a regulatory entity. Upon approval, the individual may use ‘certified’ as a designated title.” *Emphasis added*. However, the legislature also recognizes that private entities issue “certifications” to individuals in certain professions—the statutes regarding electrical contractors define the term “Certifying entity” as “the *nongovernmental* agency or association which *certifies or registers* individuals who have completed academic and training requirements[.]” § 324.900(1), RSMo, *emphasis added*. And, the statutes regarding dentistry define the term “Certified dental assistant” as “a dental assistant who is currently certified by the Dental Assisting National Board, Inc.” § 332.011(4), RSMo. Therefore, even though § 324.047.2(2), RSMo, permits an individual to use the term “certified” if there is a government program that grants the recognition, the legislature also appears to recognize that certifications from private entities exist and are valid.



4. **Where the legislature has intended to forbid a person from using a specific term in a person's credential, the legislature has clearly stated this**

In contrast, other statutes specifically prohibit an individual from using a specific term in describing a credential if that credential has not been issued by the state; this is true even if a credential has been issued by a private organization. *See Yokley v. Townsend*, 849 S.W.2d 722, 725 (Mo. App. W.D. 1993) (in interpreting statutes, those on the same subject matter should be compared with each other). For example, the statute regarding nurses provides, in pertinent part:

1. Any person who holds a license to practice professional nursing in this state may use the title "Registered Professional Nurse" and the abbreviation "R.N.". *No other person shall use the title "Registered Professional Nurse" or the abbreviation "R.N.". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a registered professional nurse.*

§ 335.076, RSMo, *emphasis added*. The subsections regarding the title "Licensed Practical Nurse" and "Advanced Practice Registered Nurse" contain substantially the same prohibitions. *See* § 335.076.2, RSMo, and § 335.076.3, RSMo. Further, two additional subsections place further prohibitions on individual's use of certain terms in their titles:

4. No person shall practice or offer to practice professional nursing, practical nursing, or advanced practice nursing in this state or use any title, sign, abbreviation, card, or device to indicate that such person is a practicing professional nurse, practical nurse, or advanced practice nurse *unless he or she has been duly licensed* under the provisions of this chapter.

5. In the interest of public safety and consumer awareness, it is unlawful for any person to use the title "nurse" in reference to himself or herself in any capacity, *except individuals who are or have been*



*licensed as a registered nurse, licensed practical nurse, or advanced practice registered nurse under this chapter.*

§ 335.076, RSMo, *emphasis added*. These provisions show that, where the legislature intended to prohibit an individual from using a specific title, the legislature made that intent clear.

As another example, § 324.205, RSMo, specifically prohibits the use of certain terms in a person's title if the person has not been licensed by the state:

1. Any person who holds a license to practice dietetics in this state may use the title "Dietitian" or the abbreviation "L.D." or "L.D.N.". *No other person may use the title "Dietitian" or the abbreviation "L.D." or "L.D.N."*. No other person shall assume any title or use any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a licensed dietitian.
2. *No person shall practice or offer to practice dietetics in this state for compensation or use any title, sign, abbreviation, card, or device to indicate that such person is practicing dietetics unless he or she has been duly licensed pursuant to the provisions of sections 324.200 to 324.225.*
3. Any person who violates the provisions of subsection 1 of this section is guilty of a class A misdemeanor.

*Emphasis added. See also § 324.215, RSMo (requirements for State Committee of Dietitians to issue license).* This statute requires all practicing dietitians to be licensed by the state, and prohibits anyone from using that title if the person has not been licensed by the state.

But even in this area, the legislature has recognized that a person may be granted a credential such as certification from a private professional organization:

1. An applicant for licensure as a dietitian ... shall furnish evidence to the committee that ... (2) The



applicant has completed a supervised practice requirement from an institution *that is certified by a nationally recognized professional organization* as having a dietetics specialty or who meets criteria for dietetics education established by the committee. The committee *may specify those professional organization certifications which are to be recognized* and may set standards for education training and experience required for those without such specialty certification to become dietitians.

3. The applicant shall successfully pass an examination as determined by the committee and possess a current registration with the Commission on Dietetic Registration. The committee may waive the examination requirement and grant licensure to an applicant for a license as a dietitian who presents satisfactory evidence to the committee of *current registration as a dietitian with the commission on dietetic registration*.<sup>1</sup>

§ 324.210, RSMo, *emphasis added*. Here, the legislature has recognized that a person may receive a credential, such as registration, from a nongovernmental entity, but has specifically forbidden the person from giving out that the person is practicing dietetics unless the person has been licensed by the state.

These examples demonstrate that, when the legislature intended to forbid a person's use of a privately issued credential, the legislature clearly expressed this intent.

## 5. Conclusion

The statutes regarding occupations and professions demonstrate that the legislature understands that private organizations issue credentials, and that some of the names of these credentials might overlap with state-issued designations. Where the legislature intended to forbid an individual from using the name of a privately issued credential, the legislature clearly expressed this intent. Nothing in the plain language of § 324.047, RSMo,


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<sup>1</sup> The "commission on dietetic registration" is not a governmental agency, but an arm of the Academy of Nutrition and Dietetics, a private organization.



expresses this intent. Therefore, it appears to us that the legislature did not intend § 324.047.2(13), RSMo, to prohibit individuals from using the term "registered" in their practice and titles where the credential has been granted by a nongovernmental entity and the legislature has not enacted any requirement of registration with the state.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Lemke", written over a horizontal line.

LINDA LEMKE

Assistant Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 6, 2021

OPINION LETTER NO. 97-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of July 26, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mitchell Hubbard, 22-041. The fiscal note summary that you submitted is as follows:

State governmental entities expect an unknown fiscal impact with a potential lost funding of at least \$70 million annually. Local governmental entities expect an unknown negative fiscal impact that could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 6, 2021

OPINION LETTER NO. 98-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 30, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII, version 1, of the Missouri Constitution submitted by David Roland (2022-051).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint circular stamp.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
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OP-2021-101



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 6, 2021

OPINION LETTER NO. 99-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated July 30, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII, version 2, of the Missouri Constitution submitted by David Roland (2022-052).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 16, 2021

OPINION LETTER NO. 100-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 3, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain, version 1 (2022-053).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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OP-2021-103



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 16, 2021

OPINION LETTER NO. 101-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 3, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain, version 2 (2022-054).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
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ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 17, 2021

OPINION LETTER NO. 102-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 3, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain, version 3 (2022-055).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is placed over the typed name.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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OP-2021-105



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 17, 2021

OPINION LETTER NO. 103-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of August 4, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Eric McSwain, 22-048. The fiscal note summary that you submitted is as follows:

State governmental entities estimate initial costs of \$800,000, ongoing costs of \$16 million annually by 2024, and an unknown reduction in revenues that could be significant totaling at least \$3 million annually by 2024. Local governments estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 18, 2021

OPINION LETTER NO. 104-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:


This opinion letter responds to your request dated August 6, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Mitchell Hubbard, 2022-041. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to prohibit state, county and local governments from:

- declaring any non-governmental entities essential and others non-essential;
- using data from electronic devices to track the movement of citizens, including license plate readers;
- interfering with the right of individuals or churches to worship;
- denying residents in a senior care or healthcare facility to visit friends and family even during a quarantine period;
- contracting with businesses that require employees to be vaccinated for COVID-19; and
- punishing individuals for spreading COVID-19 unless they are a healthcare employee or government official?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
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OP-2021-107



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 25, 2021

OPINION LETTER NO. 105-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 13, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Eric McSwain, 2022-048. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to allow qualifying medical marijuana patients to:

- cultivate no more than fifty square feet of marijuana for personal use and possess up to a one year supply;
- acquire a patient identification card for twenty-five dollars instead of the previous fee of one-hundred dollars; and
- have up to three primary caregivers (limiting primary caregivers to no more than ten patients and requiring a parent or legal guardian to be a primary caregiver if the patient is non-emancipated and under the age of eighteen)?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a circular embossed seal of the Attorney General of Missouri.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 27, 2021

OPINION LETTER NO. 106-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

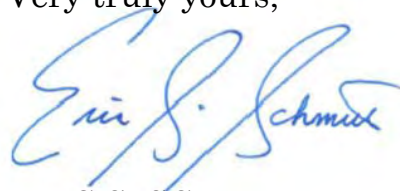
This opinion letter responds to your request dated August 17, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII of the Missouri Constitution submitted by Andrew Brain (2022-056).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required pursuant to § 116.050, RSMo.
2. The petition does not otherwise comply with the requirements of Article III, § 50 of the Missouri Constitution.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric S. Schmitt". The signature is fluid and cursive, with the first name "Eric" and last name "Schmitt" being more legible than the middle initial "S.".

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 27, 2021

OPINION LETTER NO. 107-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of August 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by David Roland, 22-051. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate costs of \$2.7 million to at least \$5.2 million in one-time costs, and ongoing costs of at least \$27,000 annually, \$170,000 each primary election, \$152,000 each general election, and \$117,000 for all other elections. State and local governmental entities estimate no savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

August 27, 2021

OPINION LETTER NO. 108-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of August 19, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by David Roland, 22-052. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate costs of \$2.7 million to at least \$5.2 million in one-time costs, and ongoing costs of at least \$27,000 annually, \$170,000 each primary election, \$152,000 each general election, and \$117,000 for all other elections. State governmental entities estimate revenues of \$50,000 every other year.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 3, 2021

OPINION LETTER NO. 109-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 25, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article IX of the Missouri Constitution submitted by Sherri Talbot (2022-057).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
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OP-2021-113



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 3, 2021

OPINION LETTER NO. 110-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 25, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII of the Missouri Constitution submitted by Andrew Brain (2022-058).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-114





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 3, 2021

OPINION LETTER NO. 111-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Marc Ellinger (2022-059).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-115



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 3, 2021

OPINION LETTER NO. 112-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 27, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by David Roland, version 1, (2022-051). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- make primary elections for statewide office, Missouri General Assembly and United States Congress open elections in which all candidates appear on a single ballot;
- make general elections for statewide office, Missouri General Assembly and United States Congress a runoff between the top four candidates for each office from the open primary elections using ranked choice voting; and
- fill vacancies for statewide office, Missouri General Assembly and United States Congress by special election?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
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OP-2021-116





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 3, 2021

OPINION LETTER NO. 113-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 27, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by David Roland, version 2, (2022-052). The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to change the requirements for statewide office, Missouri General Assembly and United States Congress such that:

- candidates run in non-partisan elections and are listed on a single ballot with only those receiving the four highest vote totals to be listed on the general election ballot;
- candidates pay a one hundred dollar filing fee to the Secretary of State's Office and pay no filing fee to a political party; and
- the winning candidate is determined by ranked choice voting?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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OP-2021-117



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 9, 2021

OPINION LETTER NO. 114-2021

Mr. Ron E. Medley  
1615 S. Deeswood Avenue, Apt. D  
Springfield, MO 65804  
(417) 533-4926

Re: Opinion Request

Dear Mr. Medley:

We have examined your request for an Attorney General's Opinion regarding whether Oak Ridge Properties, LLC, is violating § 339.180, RSMo, by operating as a property management entity without having a real estate license.

Unfortunately, we must decline your request for this opinion. Section 27.040, RSMo, provides for the Attorney General to issue an opinion to particular officers or entities, and a private individual is not among those entities statutorily entitled to an opinion from this office. You may wish to discuss your questions with private legal counsel of your choosing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Lemke", is positioned above the typed name.

Linda Lemke  
Assistant Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 115-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 31, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII of the Missouri Constitution submitted by David Roland, version 1 (2022-060).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature of Eric S. Schmitt in black ink, written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
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OP-2021-118



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 116-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 31, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII of the Missouri Constitution submitted by David Roland, version 2 (2022-061).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in black ink, reading "Eric S. Schmitt", is written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
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OP-2021-119





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 117-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated August 31, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VIII of the Missouri Constitution submitted by David Roland, version 3 (2022-062).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in black ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
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Phone: (573) 751-3321  
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OP-2021-120



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 118-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated September 1, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain, version 1 (2022-063).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature of Eric S. Schmitt in black ink, written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-121





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 119-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated September 1, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XIV of the Missouri Constitution submitted by Eric McSwain, version 2 (2022-064).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature of Eric S. Schmitt in dark ink, written over a light blue horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
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OP-2021-122



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 10, 2021

OPINION LETTER NO. 120-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated September 1, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Eric McSwain, version 3 (2022-065).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature of Eric S. Schmitt in black ink, written over a light blue horizontal line.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 24, 2021

OPINION LETTER NO. 121-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 14, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Sherri Talbot, 22-057. The fiscal note summary that you submitted is as follows:

State governmental entities expect saving of \$25 million to \$50 million annually. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 24, 2021

OPINION LETTER NO. 122-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 15, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Andrew Brain, 22-058. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no savings, one-time costs of at least \$2.1 million, and ongoing costs of at least \$90,000 each primary election, \$95,000 each general election, and \$60,000 for all other elections. There could also be additional costs for local government vacancy elections.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 24, 2021

OPINION LETTER NO. 123-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Marc Ellinger, 22-059. The fiscal note summary that you submitted is as follows:

State governmental entities estimate initial costs of \$3.1 million, initial revenues of at least \$7.9 million, annual costs of \$5.5 million, and annual revenues of at least \$40.8 million. Local governments are estimated to have annual costs of at least \$35,000 and annual revenues of at least \$13.8 million.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

September 30, 2021

OPINION LETTER NO. 124-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 20, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by David Roland, 22-060. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no savings, one-time costs of \$2.2 million to at least \$4.6 million, and ongoing costs of at least \$90,000 each primary election, \$110,000 each general election, \$75,000 each local government vacancy election, and \$60,000 for all other elections.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

September 30, 2021

OPINION LETTER NO. 125-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 20, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by David Roland, 22-061. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no savings, one-time costs of \$2.2 million to at least \$4.6 million, and ongoing costs of at least \$90,000 each primary election, \$110,000 each general election, \$75,000 each local government vacancy election, and \$60,000 for all other elections.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI

ERIC SCHMITT

September 30, 2021

OPINION LETTER NO. 126-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 20, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by David Roland, 22-062. The fiscal note summary that you submitted is as follows:

State and local governmental entities estimate no savings, one-time costs of at least \$140,000, and ongoing costs of at least \$90,000 each primary election, \$95,000 each general election, and \$60,000 for all other elections. There could also be additional costs for local government vacancy elections.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 30, 2021

OPINION LETTER NO. 127-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Eric McSwain, 22-063. The fiscal note summary that you submitted is as follows:

State governmental entities estimate initial costs of \$4 million, annual costs of \$7 million, and annual revenues ranging from \$26 million to \$125 million by 2025. Local governments are estimated to have annual costs of at least \$35,000 and annual revenues ranging from \$13 million to \$21 million by 2025.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 30, 2021

OPINION LETTER NO. 128-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of September 21, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Eric McSwain, 22-064. The fiscal note summary that you submitted is as follows:

State governmental entities estimate initial costs of \$4 million, annual costs of \$7 million, and annual revenues ranging from \$26 million to \$125 million by 2025. Local governments are estimated to have annual costs of at least \$35,000 and annual revenues ranging from \$13 million to \$21 million by 2025.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink that reads "Eric S. Schmitt".

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 5, 2021

OPINION LETTER NO. 129-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated September 24, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Sherri Talbot, 2022-057. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- remove opportunities for disabled, special needs, and those students who are economically disadvantaged by eliminating public funding to non-public elementary and secondary schools through vouchers, tax credits, tuition subsidies and other funding for student attendance and staff employment;
- limit the influence, power and authority of parents, community members and local school boards by requiring the state board of education to implement and supervise a uniform method of evaluation and accreditation for all public elementary and secondary schools who receive public funding including charter schools?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric S. Schmitt". The signature is fluid and cursive, with the first name "Eric" and last name "Schmitt" being more legible than the middle initial "S.".

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 5, 2021

OPINION LETTER NO. 130-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

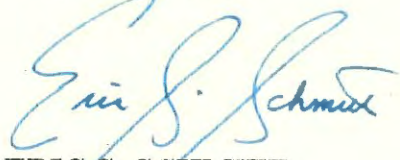
This opinion letter responds to your request dated September 24, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Andrew Brain, 2022-058. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- make primaries open elections and primary candidates appear on a single ballot for: statewide offices, Missouri General Assembly, United States Congress, elective county government offices, partisan circuit and associate circuit judges, partisan public offices within any political subdivision;
- make general elections a runoff between the top four candidates for each office from the open primary elections using ranked choice voting; and
- fill vacancies by special elections for: statewide offices, Missouri General Assembly, United States Congress, partisan circuit and associate circuit judges, partisan public offices within any political subdivision?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric S. Schmitt". The signature is fluid and cursive, with the first name "Eric" and last name "Schmitt" clearly legible, and "S." in the middle.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 5, 2021

OPINION LETTER NO. 131-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

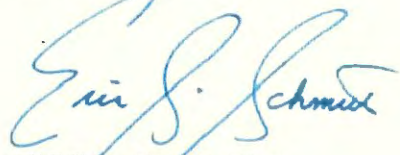
This opinion letter responds to your request dated September 24, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Marc Ellinger, 2022-059. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- remove state prohibitions on purchasing, possessing, consuming, using, delivering, manufacturing, and selling marijuana for personal use for adults over the age of twenty-one;
- require a registration card for personal cultivation with prescribed limits;
- allow persons with certain marijuana-related non-violent offenses to petition for release from incarceration or parole and probation and have records expunged;
- establish a lottery selection process to award licenses and certificates;
- issue equally distributed licenses to each congressional district; and
- impose a six percent tax on the retail price of marijuana to benefit various programs?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric S. Schmitt". The signature is fluid and cursive, with the first name "Eric" and last name "Schmitt" clearly legible, and "S." in the middle.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 7, 2021

OPINION LETTER NO. 132-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated September 27, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Austin Shaffer, 2022-066.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required pursuant to § 116.050.2(1), RSMo.
2. Under § 116.050.2(3), RSMo, the petition does not conform to Article III, § 50 because it contains “more than one amended and revised article of the Constitution.”

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

OP-2021-135



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 8, 2021

OPINION LETTER NO. 133-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by David Roland, version 1, 2022-060. The proposed summary statement is as follows:

- Do you want to amend the Missouri Constitution to:
- make general elections beginning in 2024 for statewide offices, Missouri General Assembly, United States Congress, elective county government offices, partisan circuit and associate circuit judges, partisan public offices within any political subdivision runoff elections;
  - select the top four candidates for each office in the general election using ranked choice voting; and
  - fill vacancies with special elections beginning August 2024 for: statewide offices, Missouri General Assembly, United States Congress, partisan circuit and associate circuit judges, partisan public offices within any political subdivision?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 8, 2021

OPINION LETTER NO. 134-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101


Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by David Roland, version 2, 2022-061. The proposed summary statement is as follows:

- Do you want to amend the Missouri Constitution to:
- make primaries open elections with all candidates for statewide offices, Missouri General Assembly, United States Congress, elective county government offices, partisan circuit and associate circuit judges, partisan public offices within any political subdivision appearing on a single ballot;
  - make the general election a runoff between the top four candidates for each office from the open primary elections using ranked choice voting; and
  - fill vacancies for statewide offices, Missouri General Assembly, United States Congress, partisan circuit and associate circuit judges, partisan public offices within any political subdivision with special elections?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 8, 2021

OPINION LETTER NO. 135-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by David Roland, version 3, 2022-062. The proposed summary statement is as follows:

- Do you want to amend the Missouri Constitution to:
- make primaries open elections with all candidates for statewide offices, Missouri General Assembly, United States Congress, elective county government offices, partisan circuit and associate circuit judges, partisan public offices within any political subdivision appearing on a single ballot;
  - advance the top four candidates who receive the most votes from the primary election for each office who shall appear on the general election ballot; and
  - fill vacancies for statewide offices, Missouri General Assembly, United States Congress, partisan circuit and associate circuit judges, partisan public offices within any political subdivision with special elections?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 8, 2021

OPINION LETTER NO. 136-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Eric McSwain, version 1, 2022-063. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- create cannabis (marijuana) hospitality facilities which permit consumption of cannabis along with the sale of food and beverages including alcohol;
- legalize the use of cannabis by adults twenty-one and over with restrictions on the amount that may be possessed;
- allow unlimited number of licenses or certifications to be issued;
- impose a 7 and ½ percent tax on the retail price of recreational marijuana; and
- use 1/3 of funds to provide free legal assistance to expunge drug related criminal records and 2/3 transferred to state general revenue?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint circular background.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 8, 2021

OPINION LETTER NO. 137-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Eric McSwain, version 2, 2022-064. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- create cannabis (marijuana) hospitality facilities which permit consumption of cannabis along with the sale of food and beverages including alcohol;
- legalize the use of cannabis by adults twenty-one and over with restrictions on the amount that may be possessed;
- allow unlimited number of licenses or certifications to be issued;
- impose a 7 and ½ percent tax on the retail price of recreational marijuana; and
- use funds for cannabis research and related health effects, free legal assistance to expunge drug related criminal records and infrastructure repairs and improvements?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
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Jefferson City, MO 65102  
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OP-2021-139





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

October 15, 2021

OPINION LETTER NO. 138-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XXX of the Missouri Constitution submitted by Austin Shaffer (2022-066).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-141



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 139-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of October 26, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-067. The fiscal note summary that you submitted is as follows:

State and local governments estimate ongoing costs of at least \$18 million per election, but the total cost is unknown. Local governments estimate savings of at least \$80,000 annually and at least \$42,000 for each general election in a presidential election year. State governmental entities estimate no savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 140-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 1, of the Missouri Constitution submitted by Alixandra Cossette (2022-068).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 141-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 2, of the Missouri Constitution submitted by Alixandra Cossette (2022-069).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 142-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 3, of the Missouri Constitution submitted by Alixandra Cossette (2022-070).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
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OP-2021-146



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 143-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 4, of the Missouri Constitution submitted by Alixandra Cossette (2022-071).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-147





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 144-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 5, of the Missouri Constitution submitted by Alixandra Cossette (2022-072).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 145-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 6, of the Missouri Constitution submitted by Alixandra Cossette (2022-073).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 146-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 7, of the Missouri Constitution submitted by Alixandra Cossette (2022-074).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 147-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 8, of the Missouri Constitution submitted by Alixandra Cossette (2022-075).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-151





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 8, 2021

OPINION LETTER NO. 148-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated October 27, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III, version 9, of the Missouri Constitution submitted by Alixandra Cossette (2022-076).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 16, 2021

OPINION LETTER NO. 149-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated November 5, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Austin Shaffer, 2022-067. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- require votes to be counted by hand not by machines;
- require all ballots to be paper ballots;
- require a State-issued ID or driver license to vote;
- permit early voting no more than fourteen days prior to election;
- allow observers inside and outside polling stations to take pictures;
- allow the state General Assembly to adjust or void any vote totals it determines appropriate in presidential elections; and
- create the crime of treason against persons for voter fraud, failure to report results timely and certain poll worker actions?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

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OP-2021-154





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

November 22, 2021

OPINION LETTER NO. 150-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated November 9, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Michael Phoenix, 2022-077.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 151-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-068. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$2.8 million to \$7 million, and ongoing revenues of at least \$25 million to \$57 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 152-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-069. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$2.8 million to \$7 million, and ongoing revenues of at least \$13 million to \$29 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 153-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-070. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$2.8 million to \$7 million, and ongoing revenues of at least \$9 million to \$21 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 154-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-071. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$24 million to \$55 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 155-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-072. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$12 million to \$28 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 156-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-073. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$8 million to \$19 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 157-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-074. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$24 million to \$55 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 158-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-075. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$12 million to \$28 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 159-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of November 16, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Alixandra Cossette, 22-076. The fiscal note summary that you submitted is as follows:

State governmental entities are estimated to have one-time costs of \$246,000, ongoing costs of at least \$1.5 million annually, initial revenues of \$1.8 million to \$4.5 million, and ongoing revenues of at least \$8 million to \$19 million annually. Local governmental entities estimate ongoing revenues of at least \$55,000 annually.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 160-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated November 19, 2021 for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by Michael Phoenix, 2022-078.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 1, 2021

OPINION LETTER NO. 161-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated November 23, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XV of the Missouri Constitution submitted by Michael Phoenix (2022-079).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a faint, larger version of the same signature.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-166





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 162-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 1, 2022-068. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting) in-person or on-line;
- impose a twenty-one percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- prohibit sports betting within a sports and entertainment district unless approved by the professional sports team that plays within the district or if it is by internet through a licensed internet based sports betting platform; and
- request the state auditor to audit the revenues received annually?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 163-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 2, 2022-069. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting) in-person or on-line;
- impose a ten percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- prohibit sports betting within a sports and entertainment district unless approved by the professional sports team that plays within the district or if it is by internet through a licensed internet based sports betting platform; and
- request the state auditor to audit the revenues received annually?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 164-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 3, 2022-070. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting) in-person or on-line;
- impose a 6.75 percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- prohibit sports betting within a sports and entertainment district unless approved by the professional sports team that plays within the district or if it is by internet through a licensed internet based sports betting platform; and
- request the state auditor to audit the revenues received annually?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 165-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 4, 2022-071. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a twenty-one percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require use of official league data to determine the outcome of certain wagers on a professional athletic or sporting event;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 166-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 5, 2022-072. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a ten percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require use of official league data to determine the outcome of certain wagers on a professional athletic or sporting event;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 167-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 6, 2022-073. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a 6.75 percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require use of official league data to determine the outcome of certain wagers on a professional athletic or sporting event;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 168-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 7, 2022-074. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a twenty-one percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require those offering sports wagering to cooperate with investigations conducted by law enforcement and professional sports leagues;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 169-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 8, 2022-075. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a ten percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require those offering sports wagering to cooperate with investigations conducted by law enforcement and professional sports leagues;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over the typed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 14, 2021

OPINION LETTER NO. 170-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

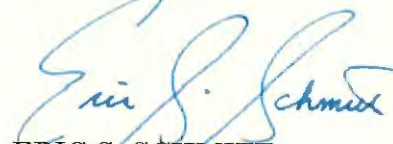
This opinion letter responds to your request dated December 1, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Alixandra Cossette, version 9, 2022-076. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- allow any entity licensed by the Missouri Gaming Commission to offer sports wagering (betting);
- impose a 6.75 percent tax on sports betting with fifty percent going to pre-kindergarten through twelfth grade educational institutions and fifty percent to highways, roads and bridges;
- require those offering sports wagering to cooperate with investigations conducted by law enforcement and professional sports leagues;
- request the state auditor to audit the revenues received annually; and
- allow the general assembly to enact laws related to sports wagering?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

  
ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 15, 2021

OPINION LETTER NO. 171-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XVII of the Missouri Constitution submitted by Austin Shaffer (2022-081).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-177





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 15, 2021

OPINION LETTER NO. 172-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XVIII of the Missouri Constitution submitted by Austin Shaffer (2022-082).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
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OP-2021-178



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 15, 2021

OPINION LETTER NO. 173-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XXI of the Missouri Constitution submitted by Austin Shaffer (2022-083).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is written over a horizontal line.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Phone: (573) 751-3321  
Fax: (573) 751-0774  
[www.ago.mo.gov](http://www.ago.mo.gov)

OP-2021-179





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 15, 2021

OPINION LETTER NO. 174-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 6, 2021, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XVI of the Missouri Constitution submitted by Austin Shaffer (2022-080).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
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OP-2021-176



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

December 23, 2021

OPINION LETTER NO. 175-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of December 13, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Michael Phoenix, 22-079. The fiscal note summary that you submitted is as follows:

State governmental entities estimate one-time costs totaling \$100,000, ongoing costs that could be significant totaling at least \$1.4 million annually, and reduced revenues totaling at least \$3 billion annually. Local governmental entities estimate ongoing costs of an unknown amount and ongoing reduced revenues of an unknown amount.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 6, 2022

OPINION LETTER NO. 176-2021

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated December 23, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Michael Phoenix, 2022-079. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- enact the legal authoritative power to all individuals to self-determine the need for any and all medical interventions, treatment or any manner of physical, mental, or emotional therapies or procedures;
- require all manners of medical consent to remain solely with the individual without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior forms of constraint or coercion; and
- restrict government entities from mandating, compelling, or enforcing any type of medical intervention or therapy on individuals for any reason and all medical history shall be confidential?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General

Supreme Court Building  
207 W. High Street  
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OP-2021-181



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 6, 2022

OPINION LETTER NO. 177-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of December 23, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-080. The fiscal note summary that you submitted is as follows:

State governmental entities estimate annual reduced federal funding could be at least \$10.6 billion, but the total potential reduction is unknown. Local governmental entities estimate annual reduced federal funding passed through from the state could be at least \$3.8 million.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 6, 2022

OPINION LETTER NO. 178-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of December 23, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-081. The fiscal note summary that you submitted is as follows:

State and local governments estimate ongoing costs of at least \$24 million per election, but the total cost is unknown. Local governments estimate savings of at least \$80,000 annually and at least \$42,000 for each general election in a presidential election year. State governmental entities estimate no savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 6, 2022

OPINION LETTER NO. 179-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of December 23, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-082. The fiscal note summary that you submitted is as follows:

State governmental entities estimate no savings and increased annual costs of at least \$1.6 million. Local governmental entities estimate no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name.

ERIC S. SCHMITT  
Attorney General





ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 6, 2022

OPINION LETTER NO. 180-2021

The Honorable Nicole Galloway  
Missouri State Auditor  
State Capitol, Room 121  
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of December 23, 2021, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Austin Shaffer, 22-083. The fiscal note summary that you submitted is as follows:

State governmental entities anticipate no costs or savings, but annual revenues could be reduced by an unknown amount that could be significant. Local governmental entities anticipate no savings and ongoing costs of an unknown amount.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Very truly yours,

A handwritten signature in blue ink, reading "Eric S. Schmitt", is positioned above the printed name of the Attorney General.

ERIC S. SCHMITT  
Attorney General



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

January 13, 2022

Carling Dinkler  
Carling.dinkler@carvana.com

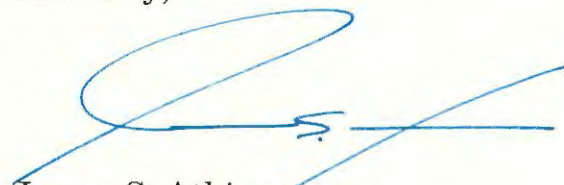
Re: Opinion Request

Dear Mr. Dinkler:

We have examined your request for an Attorney General's Opinion regarding the safety and emissions inspection statute, 307.350 and 307.380, RSMo,

Unfortunately, we must decline your request for this opinion. Section 27.040, RSMo, provides for the Attorney General to issue an opinion to particular officers or entities, and a private individual is not among those entities statutorily entitled to an opinion from this office. You may wish to discuss your questions with private legal counsel of your choosing.

Sincerely,



James S. Atkins  
General Counsel